

April 12, 2018

The Honorable Tom Miller
Attorney General of Iowa
Consumer Protection Division
Security Breach Notifications
Office of the Attorney General of Iowa
Hoover State Office Building
1305 E. Walnut Street
Des Moines, Iowa 50319-0106
Email: consumer@ag.iowa.gov

Mailed by US Mail and Emailed: April 12, 2018

RE: Security Breach Notification

Dear Attorney General Miller:

Pursuant to Iowa Code Chapter 715C, I am notifying you of a data breach of personal information affecting 1071 individuals. The breach occurred from June 1, 2014 to January 11, 2018. During this period, Polk County Health Services, Inc. provided reports to other covered entities, business associates, providers and members of the general public. Included in these reports were pie charts. Polk County Health Services, Inc. accidentally, unknowingly and inadvertently embedded personal and protected health information of adult individuals who have received services at the Crisis Observation Center in Des Moines, Iowa in the pie charts. Polk County Health Services, Inc. became aware of the potential breach on February 14, 2018.

Polk County Health Services, Inc. functions as the regional administrator and the governing board for mental health and disability services on behalf of Polk County, Iowa under the Polk County Regional Mental Health and Disability Services Management Plan. The Crisis Observation Center provides mental health services for Polk County residents.

Polk County Health Services, Inc. has investigated the breach and determined the information disclosed and recipients of the information. Polk County Health Services, Inc. has taken action to mitigate further dissemination of the information. The information unknowingly disclosed includes: full name, home address, Social Security number, Medicaid identification number, date of admission to the Crisis Observation Center and discharge location. Polk County Health Services, Inc. does not have evidence the information was improperly used.

Beginning April 5, 2018, Polk County Health Services, Inc. is mailing notifications to the affected individuals pursuant to the requirements of the Health Insurance Portability and Accountability Act ("HIPAA"), 45 C.F.R. § § 164.400-414 and Iowa Code § 715C.2 in substantially the same form as the document attached herein. The letters include an explanation of the breach, action taken by Polk County Health Services, Inc., types of information included, possible impact to them and actions the individuals may take.

In addition, Polk County Health Services, Inc. is providing substitute notification to Iowa residents by posting a statement on its website and issuing a press release in substantially the same form as the document attached herein.

Polk County Health Services, Inc. is offering affected individuals a free one-year membership in a credit monitoring and fraud monitoring protection services which includes \$1,000,000 identity theft insurance and identity restoration services.

Polk County Health Service, Inc. provided additional steps to those affected individual(s) to protect them from potential identity theft or if they suspect their identity's been stolen. This included registering a fraud alert with the following three credit bureaus:

- Experian: (888) 397-3742; www.experian.com; PO Box 9532, Allen, TX 75013;
- TransUnion: (800) 680-7289; www.transunion.com; Fraud Victim Assistance Division, PO Box 6790, Fullerton, CA 92834-6790;
- Equifax: (800) 525-6285; www.equifax.com; PO Box 740241, Atlanta, GA 30374-0241;
- Ordering your free credit report from all three credit bureaus online:
<http://www.annualcreditreport.com/cra/index.jsp>;
- Order by telephone: 1-877-322-8228;
- Monitoring your financial and health account statements and credit bureau reports.

Further, affected individuals were provided information on contacting local law enforcement agencies, the Iowa Attorney General's Office and the Federal Trade Commission.

Polk County Health Services, Inc. is committed to protecting health and personal information from unauthorized disclosure and access. To protect against further breaches, Polk County Health Services, Inc. has added computer security protections and protocols and has educated Polk County Health Services, Inc.'s workforce about the importance of maintaining health and personal information privacy.

If you have any questions, please do not hesitate to contact me at s.osby@pchsia.org or (515) 243-4560. You may also contact Helen Eddy, Polk County Health Department Director, Polk County, Iowa Privacy Officer at helen.eddy@polkcountyiowa.gov, (515) 286-3767.¹

Sincerely,

Susan Osby
Executive Director
Polk County Health Services, Inc.

¹ Polk County, Iowa is assisting Polk County Health Services, Inc. in answering questions from Polk County residents who have received services from June 1, 2014 to January 11, 2018 at the Crisis Observation Center under Polk County Regional Mental Health and Disability Services Management Plan.

April 3, 2018

«Fname» «Lname»

«Address_1» «Address_2»

«City», «State», «Zip»

RE: **IMPORTANT:** Protected Health Information of «Fname» «Lname»

Dear «Fname» «Lname»,

Polk County Health Services, Inc. is committed to protecting the security and confidentiality of our clients' information. We are writing to notify you, as required by law, of a potential breach relating to improper disclosure of your personal information. The breach arises from incidents that took place between June 1, 2014, to January 11, 2018, but were only recently discovered on February 14, 2018.

Between June 1, 2014 and January 11, 2018, Polk County Health Services, Inc. provided reports, in electronic format, to outside agencies, providers and groups. These reports contained statistics of services provided by Crisis Observation Center, Des Moines, Iowa. Additionally, these reports contained charts and/or graphs. Personal and protected health information was unintentionally embedded in the graphs and/or charts. This breach resulted in the unauthorized dissemination of your personal and protected health information.

Polk County Health Services, Inc. functions as the regional administrator and the governing board for mental health and disability services on behalf of Polk County, Iowa under the Polk County Regional Mental Health and Disability Services Management Plan. The individual responsible for the security incident is an employee of Polk County Health Services, Inc.

We believe this incident involved the unauthorized disclosure of the following information:

- Your name
- Your Social Security Number;
- Medicaid ID number
- Date(s) of admission to Crisis Observation Center, Des Moines, Iowa
- Discharge location

Although we have no evidence that information was used improperly, we wanted to notify you regarding this information so you can take swift personal action to reduce or eliminate any negative consequences of the breach. The breach investigation has taken some time to determine the personal information disclosed, determine the recipients of your information and to mitigate further dissemination of your personal information.

To help protect your identity, we recommend you take immediate steps to protect yourself from further potential harm. This may include the following precautions:

- Registering a fraud alert with the three credit bureaus listed below:
 - Experian: (888) 397-3742; www.experian.com; PO Box 9532 Allen, TX 75013;
 - TransUnion: (800) 680-7289; www.transunion.com; Fraud Victim Assistance Division, PO Box 6790, Fullerton, CA 92834-6790;
 - Equifax: (800) 525-6285; www.equifax.com; PO Box 740241, Atlanta, GA 30374-0241.

- Ordering your free credit report from all three credit bureaus:
 - Order online: <http://www.annualcreditreport.com/cra/index.jsp>.
 - Order by telephone: 1-877-322-8228.
- Monitoring your financial and health account statements, and credit bureau reports.

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's consumer protection office in your state. You can obtain information from these sources about steps you can take to avoid identity theft and information about fraud alerts and security freezes. Additionally, you should file a police report with your local law enforcement agency. You should obtain a copy of the police report if your creditors request a copy to correct your records.

Federal Trade Commission: Federal Trade Commission, Consumer Response Center, 600 Pennsylvania Avenue NW, Washington, DC 20580, www.ftc.gov/idtheft or call 1-877-IDTHEFT (438-4338).

Iowa Attorney General's Office: Office of the Attorney General of Iowa, Hoover State Office Building, 1305 E. Walnut Street, Des Moines, Iowa 50319 or call 515-281-5164. You can also obtain information about steps you can take to avoid identity theft from the Attorney General's website: www.iowaattorneygeneral.gov.

Additionally, Polk County Health Services, Inc. will provide, at no cost to you, free credit monitoring for twelve (12) months if you so desire.

Polk County Health Services, Inc. has been sensitive to your health needs and we value your trust in us. To help prevent something like this from happening in the future, Polk County Health Services, Inc., with assistance from Polk County, Iowa, has taken the following steps to protect your information:

- Added additional computer security protections and protocols to ensure that your personal information is protected from unauthorized disclosure and access;
- Educated Polk County Health Service, Inc. workforce about the importance of maintaining health privacy;

Polk County Health Services, Inc. regrets having to advise you of this incident, which we take very seriously. We are fully committed to assuring the security of your data. Polk County Health Services, Inc. sincerely apologizes for this incident and regrets any inconvenience it may cause you. Your privacy is very important to use and we will continue to do everything we can to correct this situation.

If you have any questions or would like to talk to someone about this breach, please feel free to contact Helen Eddy at 515-286-3767 or helen.eddy@polkcountyia.gov.

Sincerely,

Susan Osby, Executive Director
 Polk County Health Services, Inc.
 2309 Euclid
 Des Moines, IA 50310
S.osby@pchsia.org
 515-243-4560